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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/944,784   | 08/30/2001  | Jamal Ghani          | R272-001.2          | 1825             |
| 31955  | 7590        | 07/08/2004           | EXAMINER            |                  |
| CAPSTONE LAW GROUP LLP<br>1810 GATEWAY DRIVE<br>SUITE 260<br>SAN MATEO, CA 94404 |             |                      | KE, PENG            |                  |
|  |             | ART UNIT             |                     | PAPER NUMBER     |
|  |             | 2174                 |                     |                  |
| DATE MAILED: 07/08/2004  |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                          |  |
|------------------------------|------------------------|--------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>      |  |
|                              | 09/944,784             | GHANI, JAMAL<br><i>J</i> |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>          |  |
|                              | Peng Ke                | 2174                     |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. ____ .   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: ____ .                                   |

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 recites the limitation "the media engine" in lines 6. There is insufficient antecedent basis for this limitation in the claim.

Examiner interprets:

3. The system recited in claim 2, wherein upon the core server creates a different IP channel for each authorized computer.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-10, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (US 6,708,172) in view of Dunlap et al. (US 6,560,637).

As per claim 1, Wong et al. teaches an electronic system for facilitating communication between a presenter and a plurality of participants over a communication network comprising:

a presenter computer having a presenter graphical user interface to control the display of a presentation, authorize participants to pose a question, and respond to the question (col. 6, lines 30-65);

a plurality of participant computers each having a presenter graphical user interface for viewing the presentation, requesting permission to pose the question, and generating the question (col. 6, lines 30-68, col. 7, lines 1-5);

a system server configured for brokering communication between the presenter computer and the plurality of participant computers comprising:

a whiteboard application, wherein the whiteboard application in response to commands generated by the presenter graphical user interface controls the presentation on the participant graphical user interface (col. 3, lines 30-52);

a web server application, wherein the web server application controls receipt of commands from the presenter graphical user interface, push of controls to the participant graphical user interfaces and storage of the universal image format file for transmission to the participant graphical user interface (col. 4, lines 3-12);

a database, wherein the application specific presentation file is stored in the database (col. 9, lines 50-65); and

a core engine for controlling communications and interactions between all of the other applications on the system server as well as communication with the presenter computer and the participant computers (col. 4, lines 3-12).

However, Wong et al. fails to teach a presentation conversion engine, wherein the presentation conversion engine converts application specific presentation files to a universal image format file;

Dunlap et al. teaches teach a presentation conversion engine, wherein the presentation conversion engine converts application specific presentation files to a universal image format file (col. 4, lines 20-35).

It would have been obvious to an artisan at the time of the invention to include Dunlap et al.'s teaching with Wong's system in order to allow user to browse files of different formats without the required applications.

As per claim 2, Wong and Dunlap et al. teaches the system recited in claim 1. Wong further teaches the system comprising a media engine, wherein the media engine controls the delivery of audio and/or video media from the presenter computer to the plurality of participant computers by creating a first IP tunnel from the presenter computer through the system server to the plurality of participant computers (col. 14, lines 5-14).

As per claim 3, Wong and Dunlap et al. teaches the system recited in claim 2. Wong further teaches the system wherein the core server creates a different IP channel for each authorized computer. (col. 23, lines 20-56)

As per claim 5, Wong and Dunlap et al. teaches the system recited in claim 1. Wong further teaches wherein the whiteboard application provides tools on the presenter graphical user interface to create annotations on the presenter graphical user interface to be displayed on the presentation viewed on the participant graphical user interface (col. 25, lines 14-20).

As per claim 6, Wong and Dunlap et al. teach the system recited in claim 1. Wong further teaches wherein the system server receives the annotations created on the presenter graphical user interface and transmits the annotations to the participant graphical user interface (col. 25, lines 14-20; It is inherent the comments by the user must be created by a user and transmits to the participant's graphical user interface in order to be view by the other users).

As per claim 7, Wong and Dunlap et al. teaches the system recited in claim 1. Dunlap further teaches wherein the whiteboard application converts the universal image format file to an image stream and transmits the image stream to the participant computers (col. 4, lines 20-35).

As per claim 8, it is rejected with the same rationale as claim 1. (see rejection above)

As per claim 9, Wong and Dunlap teaches the apparatus recited in claim 8, Wong further teaches the system comprising a media engine, wherein the media engine controls the delivery of audio and/or video media from the presenter computer to the plurality of participant computers by creating a first IP tunnel from the presenter computer through the system server to the plurality of participant computers (col. 14, lines 5-14; It is inherent a channel must be created in order for the audio media to be delivered).

As per claim 10, Wong and Dunlap teaches the apparatus recited in claim 9, wherein upon an authorization request identifying an authorized participant computer transmitted from the presenter computer to the system server, the media engine creates a second IP tunnel from the authorized participant computer to the presenter computer and the plurality of participant computers (col. 3, lines 30-50; It is inherent for each client who participated in the activity to have a different IP channel).

As per claim 12, which is dependent on claim 8, it is of the same scope as claim 5. (see rejection above)

As per claim 13, which is dependent on claim 8, it is of the same scope as claim 6. (see rejection above)

As per claim 14, which is dependent on claim 8, it is of the same scope as claim 7. (see rejection above)

Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong et al. (US 6,708,172) in view of Dunlap et al. (US 6,560,637) further in view of Suzuki et al. (US 6,573,912).

As per claim 4, Wong and Dunlap et al. teaches the system recited in claim 2. However, they fail to teach wherein the media transmitted over the first IP tunnel is processed only by media codes resident on the presenter computer and the plurality of participant computers and is not processed by the system server.

Suzuki et al. teaches a system wherein the media transmitted over the first IP tunnel is processed only by media codes resident on the presenter computer and the plurality of participant computers and is not processed by the system server (col. 5, lines 12-19).

It would have been obvious to an artisan at the time of the invention to include Suzuki's teaching with system of Wong and Dunlap et al. in order to increase the transmitting speed of video.

As per claim 11, which is dependent on claim 8, it is of the same scope as claim 4. (see rejection above)

***Conclusion***

The following patents are cited to further show the state of the art with respect to a conferencing system:

Vanderwilt et al. (US 6,693,661) teaches a conferencing system having an embedded web server, and method of use thereof.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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